

THE REHEARSAL Of Observator, &c.

Mr. LOCK's Two Treatises of Government Examin'd.

And the Reason of it.

With an Advertisement of a New Association, going about.

From Saturday April the 14th, to Saturday April the 21st 1705

Observator

SInce our last meeting, I have Consulted OUR great Oracle Mr. Lock. I cou'd not endure to be so Maul'd by thee. And now I am prepar'd. Thou shalt not come off Victoria! As thou hast hitherto done. Thou hast Herv'd him down, as Asserting that the Consent of every Individual was necessary for the Erection of Government. And he is as Sensible as Thou art, That that is Impossible. And says, in his *Two Treatises of Government*, Book 2. cap. 8. Of the Beginning of Political Societies. p. 318. Which (says he, that is, the Consent of Every Individual) Considering the Infirmities of Health, and Avocations of Business, which is a Number, though much less than that of a Commonwealth, will necessarily keep many away from the Publick Assembly; And the variety of Opinions, and Contrariety of Interests which Unavoidably happen in all Collections of Men, tis next Impossible ever to be had.

Country-m. Yet the very Page before, and the Page before that, he makes the Consent of Every Individual to be Necessary, and the only Foundation of all Political Societies. He says, p. 316. When any Number of Men, have by the Consent of EVERY INDIVIDUAL, made a Community. And p. 317. One Body, one Community, which the Consent of EVERY INDIVIDUAL that United into it Agreed, &c. And again in the same Page, Thus EVERY MAN by Consenting with others to make one Body Politick, &c. And p. 355. Every Member of the Society.

Obs. Ay, 'tis Feasible and Easy upon the first Erection of Government, because it is Necessary, and Government cou'd no otherwise be Erected. But where he makes it Impossible, p. 318. it is upon the Point of the Majority Concluding the whole, after the Government is Erected, for otherwise, says he, Nothing but the Consent of EVERY INDIVIDUAL can make any thing to be the Act of the Whole; which, Considering the Infirmities of Health, &c. as before Quoted, is next to Impossible ever to be had.

Country-m. If it never cou'd be had, then it never cou'd be had, more upon one Occasion than another. And no Occasion can be Nam'd more likely to Create Variety of Opinions, and Contrariety of Interests, than the Contrivance of Government, and the Choice of the Governors. So that here you have brought Lock Confuting Himself, And plainly owning, That the Foundation of Popular Government is Non-sense and an Impossibility.

But now suppose Government set up upon this Foundation, upoa which it was Impossible to be set up, as Lock himself has Prov'd; Do's he make the Government SETTLED and FIX'D in His or

Their hands where the Community have Plac'd it?

Obs. What do'st mean, an Absolute and Arbitrary Power in the Supreme and Legislative Authority? No. No. He will not Allow of That by any means. And he Proves it Excellently. Which I had not Ready at hand last time thou made'st such a Goose of me, for saying, That there is no Arbitrary Power in England. So that I had not a Word to say for my self. For tho' I have taken all my Principles out of Lock, I do not always Remember his Reasons. But now I'm Ready for thee, and Have at thee. He comes upon this point, in his *Two Treatises*, Book 2. chap. xi. p. 353. Where he Treats Of the Extent of the Legislative Power. And says thus, p. 355. Though the Legislative, whether in one or more, be the Supreme Power in every Commonwealth; yet it is not, nor can Possibly be Absolutely Arbitrary over the Lives and Fortunes of the People. For it being but the Joint Power of Every Member of the Society given up to that Person, or Assembly which is Legislator, it can be no more than those Persons had in a State of Nature, before they enter'd into Society, and Gave it up to the Community. For no Body can Transfer to Another more Power than he has in himself; And no Body has an Absolute Arbitrary Power over himself, or over any other to destroy his own Life, or take away the Life or Property of another. A Man, as has been prov'd, cannot Subject himself to the Arbitrary Power of Another.

Country-m. And, as I have fully prov'd to thee before, The Legislative Power, wherever it is Plac'd, in any sort of Government, is, and must be Arbitrary and Absolute, and it is Impossible to be otherwise. And every Man sees it, in all Governments upon the face of the Earth. The Legislature is not Bound to its own Laws, but may Repeal them at Pleasure. And before Repeal, may Dispense with them, and Leap over them, and Act Contrary to them. May Deny the Liberty of Habeas Corpus, and keep Men in Newgate, all the Days of their Life, without either Tryal, or Bail. May take a Man's Life by Act of Attainder, where the ordinary Course of the Laws cou'd not Reach him, in short, may do what they will, and make what they will to be Law. For their Will is the Law.

Therefore, if as Mr. Lock says, and says he has Prov'd it, No Man can Subject himself to the Arbitrary Power of Another, no Man can Subject himself to any Government, of what Sort or Sise so ever. Nor can there be such a thing as Government kept up in the World.

And if, as he says, no Man has Power over the Life or Property of Another, then, cannot the whole Community commit any Force upon any single

Judge Individual, who shall Gain-say their Constitution. No, nor Compel him to Leave them, or his Native Country and Birth Right.

And if, as he says again, no Man can Transfer to Another more Power, than he has in himself. And that no Body has Power over himself, to Destroy his own Life; then how came any Government to have Power of Life and Death? Mr. Lock Confesses the Individuals cou'd not give it. And who else was there to give it? I doubt a little Divine Right must come in here. What else can give to Another that Power over my Life, which I have not Myself?

Obf. This Rebeather asks so many Silly Questions, there's no Bearing on't! He puts one out still, and won't let'en go on. But I'll tell thee Mr. Lock says, that an Absolute Objection to any Form of Government, is Worse than Anarchy, or the State of Nature. This he takes Pains to Prove p. 359. And says, That he is in a much worse Condition, that is Expos'd to the Arbitrary Power of one Man who has the Command of 100000, than he that is Expos'd to the Arbitrary Power of 100000 Single Men.

Country-m. This is so very Senseless, (with all Respect to Mr. Lock's Judgment!) that is is even a Shame to After it. A General or a King of 100000 men may Command Hard things, as to March upon the Mouth of a Cannon, and Hang a Man for a very small Matter, stepping out of his Rank, or taking an Egg, tho' he were Starving, and had not a Penny to Pay for't, Or for Asking his Pay, tho' it be Due to him; yet, with all this Arbitracy, is not this a better State for these 100000 Men, than Anarchy, and letting them all Loose upon one Another, to Rob, Plunder, and Kill one another, at Discretion! And if the Number be Great, as of Millions in a Kingdom, the Confusion and Destruction wou'd be Proportionably Greater. And if the whole World were in this supposed State of Nature, it wou'd be one Acedama, and nothing but Hell cou'd Equal the Wild Uproar! Yet Mr. Lock thinks this much Preferable to the Living under the Absolute Government either of a King, or a Common-wealth! And must such Stupid Notions still Prevail, still Bewitch this Wretched Nation!

Obf. I my self, Fool enough as I am, must For-sake my Master Lock here. This was putting the Case too far. It Frights one to Think on't! But he did not Mean it. For he says, p 442. that if a Government be Arbitrary, it is Dissolv'd. And the People are restor'd to their Original State of Nature. But he do's not suppose the People will continue in that State, but may Choose a New Legislative for themselves, in what Form and Manner they think fit. This is the Subject of Chap. XIX. of Book 2. Of the Dissolution of Government. Beginning at p. 432 where all this is Asserted, and Discon'd at large.

Country-m. Dissolution of Government is a Whim, a Dream. One Contending Party may take the Government from another. And when they have Got it, they Keep it. But never let it Fall so Low as the People. They Dispise your Individuals and State of Nature. And if any Individual shou'd set up for his Original Freedom, they wou'd Hang him up for an Original Fool. Such an Independent wou'd be Suspended, as a Disturber of any sort of Settlement whatsoever.

And as there never was such an Independent State of Mankind, as Lock or the Rest of our Popular Orators vainly Fancy: So cannot Mankind fall into such a State, more than the World into its Original Chaos.

And if Mankind were in such a State, cou'd no more Produce Government from the consent of Every Individual; than the Chaos, by its own Natural Force, cou'd have Product the World, by a Fortuitous Concourse of Atoms. Which some of the Heathen Philosophers foolishly thought, for want of the knowledge of the Creation. And it is full as reasonable for Christians to lay aside the H. Scriptures, and follow the Heathens in this, as in the Original of Government; of which they knew no more than of the other.

Let me but give an Instance, to make it familiar to every body, in a very little Part of the World, that is, the Isle of Britain. Suppose according to Lock, the Government Dissolv'd, and all the Individuals of England and Scotland render'd wholly Independent of each other, in his suppos'd State of Nature, All and Every one of them upon the Level. I dare undertake, that it wou'd be Dooms day in the After-noon, before they cou'd Frame any sort of Government whatsoever, upon the free Vote and Consent of Every Individual. Besides what is above said, of Investing the Government with the Power of Life and Death, which Lock Confesses they cou'd not Give, as not having it in Themselves. And which if granted to any Government, he Repeats it again p. 446. wou'd be Much Worse than the State of Nature or pure Anarchy.

Obf. Do's my Lock fall upon that Senseless Stuff again? I believe I must e'en Quit him for Good and All! However my Honour is safe. For all my Silly Sayings about Government, thou hast here shew'd to be in Him. And it can be no Dishonour to Me, to Fall with the Great Lock.

Country-m. I have Quoted Lock thus Particularly, on purpose to shew, that the most Acute and Celebrated of the Whigg Writers can speak no more Sense upon this Subject than John Tutchin, and that the Pains I have taken, was not to confute Tutchin, but, he being so very Meddling a Fellow, and his Papers running through the Nation, and Toysoning a great many silly and Un-thinking People, who will not Read Books, nor can Understand what is Closely and Seriously Wrote; I have follow'd him in his Baffling way, to Steal some Sense into Mobb, in a Language they Like, and can Comprehend. But then, because I have heard some say, That 'tis not worth while to Baffle Tutchin; and a Discredit to any Man of Sobriety to Engage with such a Scandalous Fellow, and so foul a Mouth (as indeed it wou'd be, were there no more in the Case) I have therefore Drawn him on, and at last bottom'd his most Non-sensical Stuff upon Men of Name and in highest Reputation with our Whigg-Wits. That they may see the Desperateness of their Cause, when their greatest Heroes have no more to say, on their Behalf, than Despicable John Tutchin.

ADVERTISEMENT.

Last Good-Fryday (the better Day, the better Deed) some Anti-Tackers, Summon'd a Parcel of the Saints to East with them at the Skip-Tavern at Ratcliff-Cross. Where pursuing the Business of the Day, they produc'd an Instrument, ready Cut and Drawn, of Association, towards the ensuing Elections, like the Solemn League and Covenant, or the Overtures Printed before, N. 26. And as, Come your Hand, and your Hand went round, it came to one who was not of the very well Affectioned, who Refus'd, saying It was a Combination to Ruin the Government. Upon which, another Startt'd off. Which occasion'd a Great Heat among them. And the Paper was Torn. And the Cabal broke up for that Time.

And I am told, that something of the like Combination, has been Carrying on, at the Man in the Moon in White-Chappel. Which may produce more News from the World in the Moon.